

1983
NE

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

FILED

James Lynn Johnson Jr.

Inmate Identification Number:

A.I.S. # 236923

(Enter above the full name of the plaintiff
in this action)

Sheriff vs.

Mike BLAKELY

Limestone County Jail

(Enter above full name(s) of the defendant(s)
in this action)

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment?
Yes () No (✓)
- B. If the answer to (A) is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff: _____

Defendant(s): _____

2. Court (if Federal Court, name the district; if State Court, name the county) _____
3. Docket number _____
4. Name of judge to whom case was assigned _____
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____
6. Approximate date of filing lawsuit _____
7. Approximate date of disposition _____

II. Place of present confinement Limestone County Jail

- A. Is there a prisoner grievance procedure in this institution?
Yes (☒) No (☐)
- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure? Yes (☒) No (☐)
- C. If your answer is YES:
 1. What steps did you take? AFTER ACCIDENT, I wrote Grievance with all facts out on paper, then entered it into the Kiosk Grievance System.
 2. What was the result? Captain Vanessa Rich said that everything I asked for will be provided to my "Slip and Fall Lawyer" when served with a summons.
- D. If your answer is NO, explain why not: _____

III. Parties.

In item (A) below, place your name in the first blank and place your present address in the second blank.

A. Name of Plaintiff(s) James Lynn Johnson Jr. A.I.S. #236923

Address Limestone County Jail
P.O. Box 889, Athens, AL. 35612

In item (B) below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use Item (C) for the names, positions, and places of employment of any additional defendants.

B. Defendant MIKE BLAKELY

Is employed as SHERIFF OF THE Limestone county Jail
 at Limestone County Jail, Athens, AL. 35612

C. Additional Defendants UNKNOWN Correctional officer an
employee of Sheriff Mike Blakely that is responsible for
mopping and failing to put up wet floor signs, Captain Vanessa Rich
will not give me the name of C.O. that I requested in my Grievance process and
Appeals.

IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

ON January 12th 2017 while being escorted down the main hallway
By Officer Hayden on the way back from blood sugar check, I
slipped and fell in front of A-400 Isolation - central control center,
due to freshly mopped floor in front of A-400, with no wet floor signs
up or any warning available at ALL; did not see with officer mopped,
But only officers are allowed to clean out control centers, for security
purposes.

In the Grievance process I asked who was at Fault and for a investigation to be done, so that whoever is at Fault that their name can be added to my accident report, along with pictures of injuries and statements from ALL witnesses to Fall and Injury.

V. RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I want to be compensated in the sum of 75,000 thousand dollars for pain and suffering, mental stress and mental anguish "Compensatory damages!!" for all physical damages and pain.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on Friday, January 27th, 2017.

James Johnson
SIGNATURE

Limestone County Jail
ADDRESS

P.O. Box 889

Attens, AL. 35612

236923
AIS#

EXHIBIT A: A copy of Grievance that I originally wrote on the Kiosk Grievance system.

EXHIBIT B: A letter from my circuit court case Lawyer, telling me that he could not help me in my slip and fall case, which lead me to file a motion to appoint counsel - exhibit C.

EXHIBIT C: My own handwritten motion to appoint counsel from the federal courts.

EXHIBIT D: My extended statement CLAIM page 1 and 2.

EXHIBIT E: My own recollection of statements made by doctors, witnesses and Captain Vanessa Rich.

EXHIBIT F: List of witnesses to the 'Slip and Fall' itself and witnesses to my injuries.

EXHIBIT G: My final thoughts and statements.

January 27th 2017
James Lynn Johnson Jr.
P.O. Box 889
Athens, AL 35612
A.I.S. # 236923

COPY

Grievance Report

I am writing this Grievance Concerning my Injury On January 12th, due to my slipping and falling because of freshly mopped floor in front of Isolation, the door where you enter central control center. There are usually wet floor signs up, but there was none that day. I would like to know who is at fault, so that it can be added to my accident report, in with medical review and pictures of my injury were taken on January 13th by Sgt. Hayes, when nurse Delois Bailey done my sick call and reviewed my injuries. On January 12th 4 to 5pm on my way back from diabetic blood sugar check, I slipped and fell very hard on my side and lower back area, due to wet floor in front of central with no wet floor signs or any kind of warning available at all. The officer escorting me, my witness is officer Hayden. After I fell officer Hayden attempted to help me up, the floor was so wet I slid another time about a ft. length. On the way back to D4 we had to stop to get me another uniform because I was soaked with water. When we reached D4 there was someone unknown with cleaning cart and mop bucket cleaning the housing control center, so can the camera be reviewed and investigation be done to find out who mopped and failed to put up wet floor signs that day, so that it can be added to my report along with pictures, medical report, ~~this~~ Grievance report, sick call and statements from nurse Cynthia Byrd and officer Lamar who observed my injury at the time of giving me Ibuprofen for my pain. May I also please have a copy of everything, pictures, reports, statements, anything available on my accident for all medical and legal purposes.

WITNESSES / officer Hayden, officer Lamar, nurse Cynthia Byrd, nurse Delois Bailey, TO INJURY Sgt. Matthew Hayes, who took photos.

(Time of accident)

January 12th 2017 / 4 to 5pm
in front of D2 and D3 and A-400
central housing door entrance.

on way back from diabetic blood sugar check.

Thank you for your time.
James Lynn Johnson Jr.
James Johnson
James Johnson

STATEMENT CLAIM

On January 12th I James Lynn Johnson Jr. Slipped and Fell on wet freshly mopped part of floor - with no wet floor signs up or any type of warning available at ALL. THE ACCIDENT happened around 4 to 5pm January 12th 2017, in the main Hallway, at the Limestone County Jail, I was Being escorted By officer - Hayden on the way Back from diabetic Blood sugar check, with I Have to Be escorted the same way everyday, same time. On this day 1-12-17 while Being escorted Back to my dormitory I slipped and Fell in front of A-400 the door to central control center and isolation medical cells. Only officers are Allowed to clean out control centers for security purposes, which officer cleaned out central control that day extended the mopping just outside A-400, there was a 10 to 12 ft area that was soaked with water - with no wet floor signs up, that resulted in my Fall and Injuries - pictures were taken and medical review were done and Statement, Accident report By officer Hayden were filed Here at the Limestone County Jail. My claim is (negligence) officers employees of the Limestone County Jail Failed to use (reasonable care) - no wet floor signs or verbal warning at All that resulted in my (damages) and my pain and Suffering. I Have asked who is at Fault, with officer mopped and Failed to use wet floor signs in my Grievance process, Captain Vanessa Rich told me - responded that she would provide my "Slip and Fall" Lawyer with any information - when served with a "Summons". Along with officer Hayden, Court officer Jeff Grisham also witnessed the accident it self. I was sent to a doctor outside of the Jail for a neurological testing done By Dr. Lynn Boyer M.D. - Athens Neurological. He stated that there was nerve damage and "Compression" on my right arm elbow on which I fell on - I stated all my Injuries on my initial sick call - medical review Here at the Jail. Dr. Lynn Boyer stated that I would need a M.R.I. to see further damages in my neck and back that my current pain may Be muscular damage, nurse's Here at Jail put me on neurontin and moeBic for pain treatment. I really need to Be seen By a chiropractor and addition or Higher dosage of medication, current medication is not working, I Have severe pain in my back and neck also arm - may Be nerve damage says Dr. Lynn Boyer. My pain keeps me up at night - stressing me out - I need some kind of treatment By doctors that specialize in back and neck surgery.

See page 2 →

EXHIBIT
D

page 2 of
Statement CLAIM

page 2

OFFICER Hayden done the Incident (Accident) report, He is a witness to the Slip and Fall. On my 2nd trip to Dr. Lynn Boyers office, I was escorted By court OFFICER Jeff Gristham, He stated that He remembered I was the "Cove" that Fell that day and that there were no wet floor signs up that day. He also witnessed the accident itself, Because He was entering His office at the time of accident which is in plain view of A-400, I remember seeing Him shaking His Head as I was Being Helped up off the floor. After I Fell OFFICER Hayden Had to Help me up, I Had Handcuffs on, so I could not Brace myself or Break my Fall at ALL. The floor was so wet that when OFFICER Hayden tried to Help me up I slid even further down the floor. He eventually Had to put His Feet in front of mine and Lift me up. We All witnessed that there were no wet floor signs up. On the way Back to D4 my dormitory, we Had to stop and get me a new uniform, Because mine was Soak and wet with water from the floor in front of A-400. I went to my dorm changed uniforms and tried to relax and Brush off and Ignore the pain, untill a Few Hours the next morning the pain was very severe All over my Body Just like a car wreck, next day All pain kicked in and started Hurting After I tried walking around on recreational yard call. I Had to request that the nurse Bring me pain medication, at that time nurse Cynthia Byrd and OFFICER Jacob Lamar witnessed my Injuries - Bruised side (right) and cut on right elbow and Handcuff marks on right wrist - All damages and Injuries were due to the "Slip and Fall."

Please Help me in getting a righteous
and Just decision on this claim.

I declare under penalty
of perjury that the foregoing
is true and correct.
Executed on Friday, January 27th 2017

James Johnson
A.I.S. # 236423

Please and Thank You For
your time and consideration,

Sincerely,
James Lynn Johnson Jr.
James Johnson
P.O. Box 889
Athens, AL 35612
A.I.S. # 236423

EXHIBIT
E

Statements

1-24-2017

DOCTORS

ON THE date of Tuesday, January 24th 2017
Dr. Lynn Boyer - examined my arms, done
nerve testing and found nerve damage, and
said that I had compression on the right
elbow on which I fell on, during the accident,
pictures of elbow injury are in my accident report.

January 27th I was escorted again to Dr. Lynn Boyer's office
By court officer JEFF GRISHAM, JEFF GRISHAM
stated that he remembered I was the "one" that fell in
front of central control door A-400, which also is in view
of his office, along with officer Hayden, JEFF GRISHAM also
witnessed the accident himself, and told me that he also
saw NO wet floor signs up at ALL.

ON THE date of 1-19-2017, Captain Vanessa Rich stated as a
response to my grievance that she would
provide my "Slip and Fall" Lawyer with any material they need when
served with a summons, she will not tell me who to name as the
defendant in this case, so I'm naming Sheriff Mike Blakely, because it was one of his
employees and this is his jail, he is responsible for his employees.

I have requested a M.R.I. for further review of my
injuries from Captain Rich, the nurses here told me that they
would not order a M.R.I. because it would cost the jail too
much money, Dr. Lynn Boyer said that a M.R.I. is the only way
to check and see damages done to my neck and back and that further
treatment and medication was needed if pain did not go away. I
have severe back and neck pains that are constant, pain keeps me up
in the middle of the night, I am stressed out and can not relax ever
since the accident that has caused my damages, and I'm not getting the
proper medical attention needed (M.R.I.) please help me.

January 27th 2017
A.I.S.#23023 James Lynn Johnson Sr.
P.O. Box 889
Attens, AL. 35612

EXHIBIT
F

LIST OF WITNESSES

1. Witness number one is OFFICER Hayden at the Limestone County Jail, He witnessed the Accident itself and was the OFFICER that was (escorted) escorting me at the time of "Slip and Fall."
2. Witness number Two is Court OFFICER JEFF Gristham, He ALSO witnessed the "Slip and Fall" accident itself, and ALSO stated THAT He saw there were NO wet Floor Signs up at ALL.
3. Witness number THREE is OFFICER Jacob Lamar Here at the Limestone County Jail, He witnessed my Injury - Bruised Side when He escorted nurse Cynthia Byrd to DY to give me pain medication for my Injuries.
4. Witness number Four is nurse Cynthia Byrd who witnessed my Injury while giving me pain medication, escorted By Jacob Lamar.
5. Witness number Five is nurse Delois Bailey who witnessed my Bruised Side and elbow that was cut, when she done my original "Sick call" medical review after accident.
6. Witness number Six is SGT. Matthew Hayes, He witnessed my Injuries, He is ALSO the OFFICER who TOOK PHOTOS of my Injuries at the time of my medical review "Sick call" done By nurse Delois Bailey on the date of January 13th 2017. SGT. Matthew Hayes stated THAT the pictures He took would be Added to my "Incident" accident report that was done By OFFICER Hayden after "Slip and Fall" on the date of January 12th 2017.

All OFFICERS and nurses Listed as witnesses are employed Here at the Limestone County Jail - The place of Accident.

January 27th 2017
James Lynn Johnson Jr.
P.O. Box 889
Athens, AL 35612

Exhibit
G

my final
Statement

2-7-17

On February 7th, 2017 2-7-17
Captain Vanessa Rich answered an appeal of my
Grievance about my slip and fall accident, I asked
Her for the officers name that mopped and failed to put
up wet floor signs. She replied that "officers do not mop"
I appealed again to let Her know that I know and she
also knows officers clean out control centers everyday
around 4 to 5 pm, the same time I go down the hallway
for diabetic blood sugar check. Officers do not mop the whole
entire hallway, but do mop control centers. This day on
January 12th, the best way I can explain it is, you know
how when someone mops a room and leaving the room, you
also mop outside the doorway, that is the case that happened on
2-12-17 at the door entrance of A-400 that leads into central
control center and isolation. Nobody will tell me who it was, but
I have 2 officers that witnessed the accident it self.
Officer Hayden, and court officer Jeff Grisham stated he remembered
that I was the "one" that fell and there were no wet floor
signs up. Only officers clean control centers for security
purposes, I have asked for an investigation to be done, that is
why I have filed for a motion to appoint counsel to further
assist me in doing a investigation, the jail will not tell
me anything, please help me in this matter. I am not
even getting a M.R.I. or further medical treatment in which
I need, I am in pain and stressed out since the accident
everyone telling my mother that I'm faking just trying to get out of
jail, even though I would love to get out of jail, that has
nothing to do with the fact that I am injured do to the jail's
negligence, I have been incarcerated here for almost 2 years
and have been a model inmate - with no disciplinaries and have never
tried to "fake" anything, I am not lying and 2 officers witnessed
the accident. Please help me in this matter and thank you.

Sincerely,

James Johnson

James Lynn Johnson Sr.
Limestone County Jail
P.O. Box 889
Athens, AL 35612